

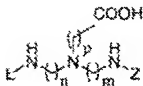
REMARKS**Restriction Requirement**

The Office has issued a Restriction Requirement under 35 U.S.C. §§121 and 372, and has requested the Applicants to elect a single invention. The restricted groups are as follows:

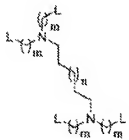
Group I. Claims 28-30 and 133 in part, drawn to



Group II. Claims 54-57, 96-132 and 133 in part, drawn to



Group III. Claims 58-95 and 133 in part, drawn to



Group IV. Claims 134 and 135, drawn to a method of imaging a region in a patient.

Group V. Claim 136, drawn to a method for preparing a peptide conjugate.

The Office alleges that it would have been obvious to one skilled in the art to substitute the imidazolyl substituent of Banerjee et al. (*Inorg. Chem.* 41:5795-5802 (2002)) for the pyridyl

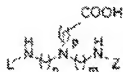
substituent of Babich et al. See bridging paragraph between pages 2-3 of the Restriction Requirement.

Without acquiescing to the merits of the allegation and solely to respond to the Restriction requirement, Applicants hereby elect the subject matter of Group III (claims 58-95 and 133 in part). Applicants submit that instant claims are patentable over the cited reference.

Election of species

The Office has further requested to elect a species as follows:

For Group II:

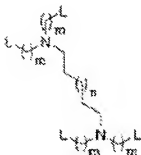


(claim 54) or

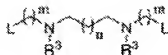


(claim 96)

For Group III:

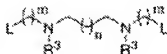


(claim 58) or



(claim 74).

Applicants elect following species from elected Group III:



Applicants believe that claims 74-95 read on the elected species.

Applicants thank the Office for noting that upon the allowance of the generic claims, Applicants will be entitled to consideration of additional species which are either in the dependent form or include all the limitations of an allowed generic claims (37 CFR §1.141). The Office has required restriction between the product claims and process claims (Groups IV and V). Applicants request that upon allowance of the product claims, withdrawn process claims that depend from or otherwise require all the limitations of the allowable product claims be considered for rejoinder (37 CFR §1.104). Favorable consideration of the application is respectfully requested.

CONCLUSION

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

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FOLEY & LARDNER LLP
Customer Number: 48329
Telephone: (617) 342-4088
Facsimile: (617) 342-4001

Respectfully submitted,

By James F. Ewing

James F. Ewing
Attorney for Applicants
Registration No. 52,875